

EXHIBIT 80

1 UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF OHIO
 3 EASTERN DIVISION

4 IN RE: NATIONAL) MDL No. 2804
 5 PRESCRIPTION OPIATE)
 6 LITIGATION,) Case No.
 7) 1:17-MD-2804
 8)
 9 THIS DOCUMENT RELATES TO) Hon. Dan A.
 10 ALL CASES) Polster
 11)

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 14 Friday, January 11, 2019
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1 A. I don't know.
 2 Q. Is it the Patrick that's
 3 sitting at counsel table?
 4 A. It is. It is.
 5 Q. Thank you.
 6 Anyone else other than
 7 yourself, Tina, or Patrick attend that
 8 meeting?
 9 A. There were a couple of Walmart
 10 attorneys that came in and out, but ...
 11 And I couldn't tell you who
 12 their names were.
 13 Q. How are you certain that they
 14 were Walmart attorneys if you did not know
 15 their names?
 16 A. They identified themselves, and
 17 they gave their names. I just can't -- I
 18 don't recall their names.
 19 MS. TABACCHI: I can represent
 20 to you, Michael, that there's been
 21 nobody other than counsel in any of
 22 these meetings.
 23 MR. INNES: Thank you, Tina.
 24 Q. (BY MR. INNES) Approximately
 25 how long was that first session?

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1 A. It was a few hours.
 2 Q. During that session did you
 3 review any documents?
 4 A. No, I don't believe I did.
 5 Q. Did you review any deposition
 6 testimony in this case?
 7 A. No.
 8 Q. Did you review any court
 9 documents?
 10 A. I don't -- no.
 11 Q. Do you not recall or do you
 12 just not know?
 13 A. No, I said no.
 14 MS. TABACCHI: I think that was
 15 no. N-O.
 16 THE WITNESS: Right, it was.
 17 It was no.
 18 Q. (BY MR. INNES) When was the
 19 date of the second session that you met with
 20 counsel?
 21 A. It was Wednesday of this week.
 22 Q. Okay. And who attended that
 23 session?
 24 A. Tina, Patrick, Jennifer, and
 25 there was another Walmart attorney that

Page 12

1 dropped in for a bit.
 2 Q. And do you know Jennifer's last
 3 name?
 4 A. I don't.
 5 Q. Is Jennifer here today?
 6 A. Correct, she is.
 7 Q. And Jennifer is seated at the
 8 end of the table?
 9 A. She is.
 10 Q. And you said there was one
 11 other Walmart attorney that attended?
 12 A. Mm-hmm. And I believe it was
 13 Rob. But I don't know Rob's last name.
 14 Q. I'll just take you to the third
 15 and final session.
 16 Well, strike that.
 17 How long was the second
 18 session?
 19 A. It was four hours,
 20 approximately.
 21 Q. And where did that occur?
 22 A. It occurred in the -- a
 23 conference room.
 24 Q. At Walmart?
 25 A. Correct.

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1 Q. And what's -- which -- what's
 2 Walmart's address?
 3 A. It's on Walton Boulevard.
 4 Q. The location on Walton
 5 Boulevard?
 6 A. Correct.
 7 Q. And the final session, the one
 8 the day before yesterday?
 9 A. Same location.
 10 Q. And what was the date of that
 11 session?
 12 MS. TABACCHI: I'm sorry, just
 13 to clarify, the final session was
 14 yesterday, not the day before
 15 yesterday.
 16 MR. INNES: I'm sorry.
 17 Q. (BY MR. INNES) What was the
 18 date of the final session?
 19 A. It was yesterday.
 20 Q. Yesterday?
 21 A. Yes.
 22 Q. And for how many hours did you
 23 meet?
 24 A. Approximately six to seven.
 25 Q. And who was present at that

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1 meeting?
 2 A. Tina, Patrick, Jennifer.
 3 Q. The same Jennifer that's seated
 4 at the end of the table?
 5 A. Yes.
 6 Q. Anyone else?
 7 A. No.
 8 Q. In the second session, did you
 9 review any documents?
 10 A. Yes.
 11 Q. Did you review any deposition
 12 testimony?
 13 A. No.
 14 Q. Did you review any court
 15 documents?
 16 A. No.
 17 Q. In the third session, did you
 18 review any documents?
 19 A. Yes.
 20 Q. Did you review any testimony?
 21 A. Did I what?
 22 Q. Did you review any deposition
 23 testimony?
 24 A. No.
 25 Q. Did you review any court

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1 documents?
 2 A. No.
 3 Q. Have you read the complaint
 4 that was filed in this case?
 5 A. No.
 6 Q. Are you familiar with the
 7 allegations in the complaint as they relate
 8 to Walmart?
 9 MS. TABACCHI: Object to the
 10 form. I'm also going to caution the
 11 witness not to reveal the substance of
 12 any communications with counsel.
 13 If you can answer the question
 14 without revealing the substance of
 15 communications with counsel, you may.
 16 Otherwise, I will instruct you not to
 17 answer the question if your
 18 understanding comes from
 19 communications with counsel, to the
 20 extent you had one.
 21 THE WITNESS: Can you repeat
 22 the question?
 23 Q. (BY MR. INNES) Other than your
 24 conversations with counsel, what is your
 25 knowledge, if any, of the allegations in the

Page 16

1 complaint in this case?
 2 A. I don't have any knowledge,
 3 other than communication with counsel.
 4 Q. Do you agree that the
 5 United States is currently in an opioid
 6 crisis?
 7 A. Yes.
 8 Q. What's the basis for your
 9 agreement with that statement?
 10 A. I'm aware of the -- what media
 11 publishes.
 12 Q. And what media sources
 13 specifically?
 14 A. I read newspapers.
 15 Q. Which newspapers do you read?
 16 A. I read the Benton County
 17 Gazette, or the Gazette. Democrat-Gazette, I
 18 think it's called. Occasionally I read the
 19 Wall Street Journal. I read an investment
 20 newspaper.
 21 Q. What investment newspaper is
 22 that?
 23 A. I think it's called IBD.
 24 Q. Are you aware that between 2000
 25 and -- year 2000 and year 2014, unintentional

Page 17

1 drug overdose deaths in the U.S. increased by
 2 137 percent?
 3 A. No.
 4 Q. Can you hear me?
 5 MS. TABACCHI: I'm having a
 6 little trouble hearing you.
 7 MR. INNES: I'll try to speak
 8 up.
 9 THE WITNESS: When he bends his
 10 head down. So just -- I have a
 11 hearing disability, and so I can watch
 12 your lips, and I'll be able to pick up
 13 on it. I have hearing aids. But when
 14 you bend your head down, it's very
 15 difficult for me to see your lips.
 16 MR. INNES: Sure. Thank you
 17 very much for pointing that out. And
 18 I'll do my best to speak with my face
 19 up so you can see my lips moving.
 20 Q. (BY MR. INNES) So maybe if I
 21 can, just do a little rearranging here.
 22 So I'll reread the --
 23 A. Sure.
 24 Q. -- re-ask the question.
 25 Between the year 2000 and 2014,

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1 are you aware that unintentional drug
 2 overdose deaths in the U.S. increased
 3 137 percent?
 4 A. I was not aware of that.
 5 Q. Between -- were you aware that
 6 between the year 2000 and 2014, there were
 7 500,000 deaths due to prescription overdoses?
 8 A. No, I was not aware of that.
 9 Q. Were you aware that in 2015,
 10 over 47,000 drug-related -- there were over
 11 47,000 drug-related deaths?
 12 A. No. I was not aware.
 13 Q. Do you recall attending a DEA
 14 Distributor Conference in Indianapolis,
 15 Indiana on May 10th or 11th of 2016?
 16 A. No. I did not attend that
 17 conference.
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 Q. In preparation for today's
 23 testimony, have you looked in your own
 24 personal paper files for documents that might
 25 be relevant to your testimony today?

Page 19

1 A. I don't have any paper files.
 2 Q. Have you looked in any
 3 electronic files prior to today to help
 4 prepare for your testimony?
 5 MS. TABACCHI: Object to the
 6 form.
 7 THE WITNESS: I have looked at
 8 documents that we reviewed over the
 9 past couple of days.
 10 Q. (BY MR. INNES) The documents
 11 that you reviewed in preparation for today,
 12 the only documents you reviewed, were those
 13 with counsel?
 14 A. Correct.
 15 Q. You did not review any
 16 documents outside of the presence of counsel?
 17 A. Correct.
 18 Q. Did you endeavor to look in
 19 your own electronic or paper files for
 20 documents that may help refresh your
 21 recollections of any events that might be
 22 relevant for today?
 23 A. I did not look at any documents
 24 in my files, either paper or electronic.
 25 Q. Thank you.

Page 20

1 My question is slightly
 2 different.
 3 I'm wondering if you attempted
 4 to find such documents.
 5 A. No.
 6 Q. Did you -- prior to today, in
 7 preparation for your testimony, did you speak
 8 with any colleagues about your testimony?
 9 A. No.
 10 Q. Have you spoken with any family
 11 members about the testimony you were about to
 12 give?
 13 A. No.
 14 Q. Have you spoken with any
 15 non-Walmart employees regarding the testimony
 16 that you are about to give today?
 17 A. No.
 18 Q. Ms. Hodges, where did you
 19 attend college?
 20 A. Southwest Missouri State
 21 University.
 22 Q. And when did you graduate from
 23 Southwest Missouri University?
 24 MS. TABACCHI: Object to the
 25 form.

Page 21

1 Q. (BY MR. INNES) Strike that.
 2 When did you graduate from Southwest Missouri
 3 State University?
 4 A. 1985.
 5 Q. Okay. Did you attend any
 6 graduate programs after your graduation from
 7 college?
 8 A. I did.
 9 Q. And what school was that?
 10 A. University of Missouri
 11 Columbia.
 12 Q. And what degree did you obtain
 13 from University of Missouri Columbia?
 14 A. A JD.
 15 Q. And what year was that?
 16 A. 1988.
 17 Q. You graduated in 1988?
 18 A. Correct.
 19 Q. Did you sit for a bar exam
 20 after your graduation?
 21 A. I did.
 22 Q. In what state did you sit for
 23 the bar exam?
 24 A. Missouri.
 25 Q. And what year were you admitted

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[REDACTED]

22 Q. Okay. And at this point you're
23 aware that the country is in an opioid
24 crisis. That is correct; right?

25 A. Yes.

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[REDACTED]

Page 151

[REDACTED]

Page 153

[REDACTED]

Page 154

[REDACTED]

Page 156

[REDACTED]

Page 155

[REDACTED]

Page 157

[REDACTED]

9 Q. And during this time period,
10 you're aware of the opioid crisis; is that
11 right?
12 A. Correct.
13 Q. And did you ever inquire --
14 strike that.

[REDACTED]

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[REDACTED]

Page 160

[REDACTED]

Page 159

[REDACTED]

Page 161

[REDACTED]